

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DENISE WOOD

Plaintiff,

vs.

ANNA'S LINEN COMPANY,
ANNA'S LINEN INC.,

Defendants.

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CIVIL ACTION NO. H-05-1697

**SECOND NOTICE OF SETTLEMENT CONFERENCE AND
SETTLEMENT CONFERENCE ORDER**

TO ALL PARTIES AND COUNSEL OF RECORD:

The above matter was referred to United States Magistrate Judge Mary Milloy for a settlement conference.

You are hereby notified that the conference is scheduled for **February 1, 2006 at 9:00 a.m. in Courtroom 701 on the 7th floor, Bob Casey United States Courthouse, 515 Rusk Avenue, Houston, Texas.**

REQUIRED ATTENDANCE AT THE SETTLEMENT CONFERENCE

Unless otherwise permitted, in advance, **the attorneys who will try the case** shall appear at the settlement conference **with the parties** and with the person or persons having **full authority** to negotiate and to settle the case **on any terms**.

CONFIDENTIAL SETTLEMENT CONFERENCE STATEMENT

On or before **January 23, 2006**, the parties shall deliver directly to the chambers of the undersigned (Room 7007) a confidential settlement conference statement, which **should not be filed** with the Clerk of the Court, **nor served** upon the other parties. Brevity is encouraged.

The confidential settlement conference statement shall include the following:

1. A brief statement of the facts of the case;
2. A brief, but specific, statement of the claims and defenses, i.e., statutory or other grounds upon which the claims are founded; a forthright evaluation of the parties' likelihood of prevailing on the claims and defenses; and a description of the major issues in dispute;
3. A summary of the proceedings to date;
4. An estimate of the cost and time to be expended for further discovery, pretrial and trial;
5. The relief sought;
6. The party's position on settlement, including present demands and offers and history of past settlement discussions, offers and demands; and,
7. The name, title, and responsibilities of each person that will attend the settlement conference.

SANCTIONS

Any failure of the trial attorneys, parties or persons with authority to attend the conference will result in appropriate sanctions that may include, but is not limited to, the fees and costs expended by the other parties in preparing for and attending the conference. Failure to timely deliver a confidential settlement conference statement will also result in sanctions.

The Order referring this case for settlement conference specifically directs the parties to bring with them to the settlement conference any person or official with authority to negotiate a settlement. If one or more insurance companies must be involved in the settlement of this case, a representative from each insurance company with the authority to negotiate a settlement **shall be present** during the settlement conference.

The failure of any party to comply with these provisions will result in an interruption of the mediation and costs of the interruption and subsequent rescheduling of the conference will be charged to the party disregarding this provision.

SIGNED this 28th day of November, 2005, at Houston, Texas.

A handwritten signature in black ink, appearing to read 'Mary Milloy', is centered on the page.

MARY MILLOY
UNITED STATES MAGISTRATE JUDGE